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LOK SABHA

The following Bills were introduced in Lok Sabha on the 31st August, 1962:—

BILL NO. 90 OF 1962

A Bill further to amend the Industries (Development and Regulation) Act, 1951

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Industries (Development and Short title, Regulation) Amendment Act, 1962.

65 of 1951. 5 2. In the First Schedule to the Industries (Development and Amendment of the First Schedule, Regulation) Act, 1951, in the heading "1. METALLURGICAL INDUSTRIES", under the sub-heading "B Non-ferrous", for item (1), the following items shall be substituted, namely:—

"(1) Precious metals, including gold and silver, and their alloys.

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(1A) Other non-ferrous metals and their alloys."

STATEMENT OF OBJECTS AND REASONS

The industries which should be taken under the control of the Central Government in the public interest have been specified in the First Schedule to the Industries (Development and Regulation) Act, 1951. This Schedule already includes metallurgical industries, both ferrous and non-ferrous. Precious metals like gold and silver are also non-ferrous metals, but in popular usage, the expression "non-ferrous metals" is taken to cover metals like aluminium, copper, zinc and tin, rather than precious metals like gold and silver. The object of the present Bill is to make it clear beyond doubt that the precious metals also are covered by the Industries (Development and Regulation) Act.

NEW DELHI;

The 29th August, 1962.

N. KANUNGO.

BILL No. 76 OF 1962

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1962. Short title and commencement.

5 (2) It shall come into force at once.

2. After Article 155 of the Constitution, the following shall be inserted, namely:— Insertion of new Article 155A.

“155A. (1) Having regard to the circumstances obtaining in a State, the President may, along with the warrant appointing
10 a Governor or at any time after the appointment of a Governor, issue an ‘Instrument of Instructions’ to him containing Directives in general or specific terms regarding the carrying on of Government and the conduct of Government business in that State.
Instrument of Instructions.

15 (2) Notwithstanding anything contained in this Constitution, a Governor, whenever he feels it necessary, may act in his discretion and take such steps as he deems proper to give effect to the Directives contained in the ‘Instrument of Instructions’.

For this purpose, the Governor may also amend the rules made by him under clause (3) of Article 166:

Provided that all cases in which the Governor acts in his discretion shall be reported by him to the President.

(3) The Governor shall be the sole judge as to the scope of 5 the Directives contained in the 'Instrument of Instructions'.

Amendment
of article
167.

3. In clause (c) of article 167 of the Constitution, the following words shall be added at the end, namely:—

“or to submit for the reconsideration of the Council any matter on which a decision has been taken by the Council. After 10 such consideration or reconsideration, as the case may be, with special reference to any points to which the Governor may have referred, the matter shall be resubmitted to the Governor, who may give his assent to it or may act in his discretion under clause (2) of article 155A or may reserve it for a Direction from the 15 President, irrespective of the fact whether such matter falls under the State List or not.”

STATEMENT OF OBJECTS AND REASONS

Democracy in our country is still in its infancy. For a considerable time to come, it will need for its healthy growth, constant vigilance and anxious care on our part to safeguard it not only against forces which are manifestly and avowedly inimical to it but also against dangers and vices that arise and originate from within itself.

Further, with a view to preserve national unity and territorial integrity of the country, it will always be necessary to ensure, throughout the country, a certain amount of uniformity of approach not only in more important matters of social, economic and educational policies, but also in matters affecting day-to-day administration.

The proposed amendment of the Constitution seeks to enable the President to clothe the Governor of a State, whenever necessary, with responsibilities and powers to perform useful functions in the interests of national unity and a clean, impartial and efficient administration.

NEW DELHI;
The 24th May, 1962.

TIKA RAM PALIWAL.

BILL No. 89 OF 1962

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

Short Title. 1. This Act may be called the Constitution (Amendment) Act, 1962.

Amend-
ment of
Article 343. 2. In clause (1) of Article 343 of the Constitution— 5

(1) for the word "language" the word "languages" shall be substituted; and

(2) after the word "Hindi" the words "and Sanskrit" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Sanskrit presents the greatest common measure of agreement in its vocabulary among most of the languages of modern India. This language is also vital to the development of most of the modern languages of India.

2. The Bill, therefore, proposes to amend Article 343 so as to include Sanskrit as one of the Official languages of the Union.

NEW DELHI;

C. K. BHATTACHARYYA.

The 4th June, 1962.

BILL No. 84 OF 1962

A Bill further to amend the Delhi Land Reforms Act, 1954 and also to amend the Delhi Land Reforms (Amendment) Act, 1959.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

Short title and commencement. 1. (1) This Act may be called the Delhi Land Reforms (Amendment) Act, 1962. 5

(2) Section 2 of this Act shall be deemed to have come into force on the 20th day of July, 1954 and section 3 of this Act shall be deemed to have come into force from the 12th day of March, 1959.

CHAPTER II

10

AMENDMENT TO THE DELHI LAND REFORMS ACT, 1954

Amendment of section 3. 2. In section 3 of the Delhi Land Reforms Act, 1954, for sub-section (6), the following sub-section shall be substituted, namely:—

Delhi Act VIII of 1954.

“(6) “Deputy Commissioner” includes Collector, Additional Collector and a Revenue Assistant or an Assistant Collector of 15 the 1st Class or Grade or a Deputy Collector empowered by the

Chief Commissioner by a notification in the official Gazette to discharge all or any of the functions of a Deputy Commissioner under this Act."

CHAPTER III

5 AMENDMENT TO THE DELHI LAND REFORMS (AMENDMENT) ACT, 1959

4 of 1959. 3. In section 21 of the Delhi Land Reforms (Amendment) Act, 1959, for sub-section (4), the following sub-section shall be substituted, namely:—

- 10 “(4) Nothing in this section shall affect the interests of a
bona fide purchaser for value in any land referred to in sub-
section (1) in respect of any sale made on or after the 8th day
of January, 1957, and before the 1st day of January, 1958,
regarding which any decree or order for the ejectment of a
15 person, who was in cultivatory possession of the said land in the
Fasli year 1953-54, was passed and executed; as a result of the
Delhi Land Reforms (Amendment) Act, 1956.

Explanation.—The provisions of this sub-section will not affect any land in respect of which no decree or order was passed and no question of restitution arose

STATEMENT OF OBJECTS AND REASONS

Under sections 11 and 13 of the Delhi Land Reforms Act, 1954, the Deputy Commissioner is authorised to declare certain categories of persons as *Bhoomidar*. It has now been held by some Civil Courts of Delhi that the Revenue Assistant is not included in the definition of "Deputy Commissioner" without being empowered by the Chief Commissioner by a notification in the official Gazette to discharge all or any of the functions of the "Deputy Commissioner" under this Act. Clause 2 of the Bill seeks to include the Revenue Assistant in the definition of "Deputy Commissioner".

2. The language of the sub-section (4) of section 21 of Delhi Land Reforms (Amendment) Act, 1959 is not quite clear and some courts may misinterpret the same as a result of which complications and unnecessary litigation may arise. Clause 3 of the Bill clarifies the position in this regard.

NEW DELHI;

NAVAL PRABHAKAR.

The 17th July, 1962.

M. N. KAUL,
Secretary